

RESOLUTIONS

HOUSE JOINT RESOLUTIONS

CONSTITUTIONAL AMENDMENT—ARTICLE 16, § 62

H. J. R. No. 10

Proposing an Amendment to Article 16 of the Constitution of the State of Texas, by adding thereto Section 62 providing a Retirement, Disability and Death Compensation Fund for the appointive officers and employees of the State; limiting the amount contributed by the State to such Fund; providing for investment of Fund with certain exceptions; prohibiting recipients of benefits hereunder from receiving other direct aid from the State; authorizing counties to provide and administer such a Fund for appointive county officers and employees after favorable vote in a county election for such purpose; limiting the amount contributed by the county to such Fund; providing for investment of Fund with certain exceptions; prohibiting recipients of benefits from said Fund from receiving other direct aid from the State; and providing for an election, necessary form of ballot, and publication on the question of adoption of this Amendment.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article 16 of the Constitution of the State of Texas be amended by adding thereto Section 62, which shall read as follows:

"Sec. 62(a). The Legislature shall have the right to levy taxes to provide a Retirement, Disability and Death Compensation Fund for the appointive officers and employees of the State; provided that the amount contributed by the State to such Fund shall equal the amount paid for the same purpose from the income of each such person, and shall not exceed at any time five per centum (5%) of the compensation paid to each such person by the State, and shall in no one year exceed the sum of One Hundred and Eighty Dollars (\$180) for any such person.

"All funds provided from the compensation of such person, or by the State of Texas, for such Retirement, Disability and Death Compensation Fund, as are received by the Treasury of the State of Texas, shall be invested in bonds of the United States, the State of Texas, or counties or cities of this State, or in bonds issued by any agency of the United States Government, the payment of the principal of and interest on which is guaranteed by the United States, provided that a sufficient amount of said funds shall be kept on hand to meet the immediate payment of the amount likely to become due each year out of said Fund, such amount of funds to be kept on hand to be determined by the agency which may be provided by law to administer said Fund; and provided that the recipients of benefits from said Fund shall not be eligible for any other pension retirement funds or direct aid from the State of Texas, unless the Fund, the creation of which is provided for herein, contributed by the State, is released to the State of Texas as a condition to receiving such other pension aid.

"(b) Each county shall have the right to provide for and administer a Retirement, Disability and Death Compensation Fund for the appointive officers and employees of the county; provided same is authorized by a majority vote of the qualified voters of such county and after such election has been advertised by being published in at least one newspaper of general circulation in said county once each week for four consecutive weeks; provided that the amount contributed by the county to such Fund shall equal the amount paid for the same purpose from the income of each such person, and shall not exceed at any time five per centum (5%) of the compensation paid to each such person by the county, and

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shall in no one year exceed the sum of One Hundred and Eighty Dollars (\$180) for any such person.

"All funds provided from the compensation of each such person, or by the county, for such Retirement, Disability and Death Compensation Fund, as are received by the county, shall be invested in bonds of the United States, the State of Texas, or counties or cities of this State, or in bonds issued by any agency of the United States Government, the payment of the principal of and interest on which is guaranteed by the United States, provided that a sufficient amount of said funds shall be kept on hand to meet the immediate payment of the amount likely to become due each year out of said Fund, such amount of funds to be kept on hand to be determined by the agency which may be provided by law to administer said Fund; and provided that the recipients of benefits from said Fund shall not be eligible for any other pension retirement funds or direct aid from the State of Texas, unless the Fund, the creation of which is provided for herein, contributed by the county, is released to the State of Texas as a condition to receiving such other pension aid."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified voters of this State at an election to be held throughout the State in November, 1946, at which all ballots shall have printed thereon:

"FOR the Constitutional Amendment authorizing the Legislature to provide a Retirement, Disability and Death Compensation System for the officers and employees of the State of Texas and authorizing counties to provide such system for the appointive officers and employees of the counties of the State of Texas," and

"AGAINST the Constitutional Amendment authorizing the Legislature to provide a Retirement, Disability and Death Compensation System for the officers and employees of the State of Texas and authorizing counties to provide such system for the appointive officers and employees of the counties of the State of Texas."

Each voter shall scratch one of said clauses on the ballot, leaving the one expressing his vote on the proposed Amendment.

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for said election and shall have the same published as required by the Constitution for Amendments thereto.

Passed the House, February 27, 1945: Yeas 133, Nays 1; House concurred in Senate amendments, May 17, 1945: Yeas 113, Nays 9, 1 present and not voting; passed the Senate, as amended, May 15, 1945: Yeas 21, Nays 2.

Filed without the Governor's signature, May 23, 1945.

To be voted at election to be held in Nov. 1946.

CONSTITUTIONAL AMENDMENT—ARTICLE 3, § 24

H. J. R. No. 11

Proposing an Amendment to the Constitution of the State of Texas so as to provide for continuous salary per diem of all members of the Legislature during their tenure of office.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 24 of Article III of the Constitution of Texas be amended so as to hereafter read as follows:

"Section 24. Members of the Legislature shall receive from the public Treasury a per diem of Ten Dollars (\$10) per day during their tenure of office. In addition to the per diem the members of each House shall be entitled to mileage in going to and returning from the seat of govern-